

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES  
\_\_\_\_\_

Ex parte TABER B. NOBLE  
\_\_\_\_\_

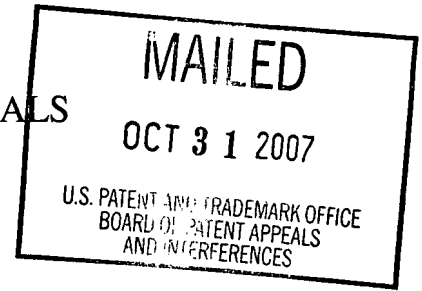
Application 09/818,230  
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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER  
\_\_\_\_\_

This application was received electronically at the Board of Patent Appeals and Interferences on October 3, 2007. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being electronically returned to the examiner. The matter requiring attention prior to docketing is identified below:

An examination of the Image File Wrapper (IFW) reveals that an Examiner's Answer was mailed February 8, 2007.

Section§ 1207.02 of the Manual of Patent Examining Procedure (MPEP) (8<sup>th</sup> Ed., Rev. 3, August 2005) states:



### Requirements for Examiner's Answer

The examiner's answer is required to include, under appropriate headings, in the order indicated, the following items:

. . . .

(8) Evidence Relied Upon. A listing of the evidence relied on (e.g., patents, publications, admitted prior art), and, in the case of nonpatent references, the relevant page or pages.

While the Examiner's Answer listed on pages 2 and 3 of the Answer under the caption "(8) Evidence Relied Upon," several US Patent and several Official Notices, it is noted that a copy of "How to Use Microsoft Windows NT 4 Workstation" by Jacquelyn Gavron and Joseph Moran, dated 1996, in particular **page 111** does not appear in the IFW.

Correction of the record is required.

Accordingly, it is ORDERED,

1) the examiner have a copy of the reference scanned into the IFW  
file, and

2) for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By: Patrick J. Nolan  
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